**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL NO. 1387 OF 2002**

Rajaram Ranganath Gaikwad ..Appellants

versus

State of Maharashtra ..Respondents

**WITH**

**FIRST APPEAL NO. 77 OF 2003**

Supdu S. Kedare, since deceased
by his heirs
Bhausaheb D. Kedare & Ors. ..Appellants

versus

The State of Maharashtra ..Respondents

**WITH**

**FIRST APPEAL NO. 1707 OF 2003**

Nana Ukha Shelar & Ors. ..Appellants

versus

The State of Maharashtra ..Respondents

**WITH**

**FIRST APPEAL NO. 1708 OF 2003**

G. V. Shelar & Ors. ..Appellants

versus

The State of Maharashtra ..Respondents

Mr. J. K. Sachdev for the Appellants.

Mr. K. K. Tated, AGP for the Respondents - State.

**CORAM : D. G. DESHPANDE,J.**

**DATE : 27TH JUNE,2005.**

**P.C. :**

1. Original claimants in land acquisition proceedings have filed these appeals claiming interest on component and solatium.

2. Counsel for the Respondents - State has pointed out judgment of the Supreme Court reported in **(2004)4 SCC 79 R. L.Jain (D) by Lrs. vs. DDA and ors.,** wherein the Supreme Court has held that even if possession is taken prior to issuance of notification under Section 4, the claimants are not entitled to any interest for such period and compensation has been defined to include market value, the statutory sum and solatium. Therefore, what is claimed by the appellants in these appeals is barred by the Supreme Court while interpreting Section 34, Sections 23, 24, 28 and 4 of the Land Acquisition Act, 1894, therefore the appeals cannot be admitted. They are all dismissed along with respective Civil Applications.

27.6.05 (D.G. DESHPANDE, J.)